

**1. SC stays Lokpal order on power over High Court judges****Introduction**

## Redefining jurisdiction

Lokpal's January 27 order defines the rules and conditions under which it will inquire into complaints against High Court judges

- SC judges are public servants under the Prevention of Corruption Act but are not public servants under the Lokpal Act

- The SC was 'established' by the Constitution. The HCs pre-existed the Constitution and are only 'recognised' by it

- A judge of an HC established by an Act of Parliament will come within the ambit of expression 'any person' in Section 14(1)(f) of the Lokpal Act

- There is a precondition to consult the Chief Justice of India before initiating, under Section 20 of the Lokpal Act, a preliminary inquiry into a complaint lodged against an HC judge

**Lokpal Order**

The Lokpal, in its January 27 order, said a High Court judge came within the ambit of clause (f) of Section 14(1) of the 2013 Act.

A clause of Section 14 notes the Lokpal has jurisdiction over "any person who is or has been a chairperson or member or officer or employee in any body or Board or corporation or authority or company or society or trust or autonomous body (by whatever name called) established by an Act of Parliament or wholly or partly financed by the Central government or controlled by it".

The term 'any person' in the clause would include a judge of a High Court established by an Act of Parliament.

**Rationale Behind Order**

The Lokpal concluded that High Court judges were 'public servants' and came within the ambit of the Lokpal and Lokayuktas Act of 2013. Thus, the Lokpal assumed jurisdiction to inquire or investigate complaints about High Court judges.

Lokpal argued, unlike the Supreme Court, the High Courts in India were constituted by British Parliamentary Acts — Indian High Courts Act, 1861 and Government of India Act 1935. In fact, the High Courts pre-dated the Constitution.

Article 214 of the Constitution, which said "there shall be a High Court for each State", had only "intrinsically recognised" the existence of the High Courts. The Constitution did not establish the High Courts, the Lokpal argued in the January 27 order. On the other hand, the Supreme Court was completely a child of the Constitution.

### **Supreme Court judges outside Jurisdiction**

A few days before the January 27 order, the Lokpal, in a decision on January 3, had declared that it had no power over Supreme Court judges, including the Chief Justice of India.

In the January 3 order, the Lokpal had explained that the Supreme Court was not a "body" established by an Act of Parliament or financed or controlled by the Central government. It had observed that Supreme Court judges, including the CJI, even though 'public servants' in terms of the Prevention of Corruption Act of 1988, were not amenable to the jurisdiction of the Lokpal.

### **Reaction of Supreme Court**

The Supreme Court recently stayed a Lokpal order bringing High Court judges under its jurisdiction, terming the top anti-corruption ombudsman's interpretation "very disturbing".

Taking suo motu cognisance of the January 27 Lokpal order, a Special Bench of of the Supreme Court and Collegium members, said it impacted the independence of the judiciary.

Relevance: GS Prelims & Mains Paper II; Governance

Source: Indian Express

## **2. Who is Kash Patel, the new FBI director?**

### **Appointment**



Kash Patel, a staunch ally of President Donald Trump, was confirmed by the US Senate to lead the Federal Bureau of Investigation (FBI). He was confirmed by a vote of 51 to 49. Only two Republicans joined all Democrats against Patel, citing concerns over his qualifications to lead the FBI and claimed that he would pursue retribution against critics of Trump.

### **Appointment Process**

The FBI director is nominated by the President. After nomination, the appointment is required to be confirmed by Senate through ordinary majority. Senate is the representative body of States in the US Congress.

### Indian Connection

Kashyap Pramod Patel or Kash Patel was born to Gujarati-Indian parents in New York's Long Island. He was raised a Hindu and has described a "very deep connection" with India.

Relevance: GS Prelims

Source: The Hindu

## 3. Why Iraq is (slowly) sinking into Earth

### Introduction

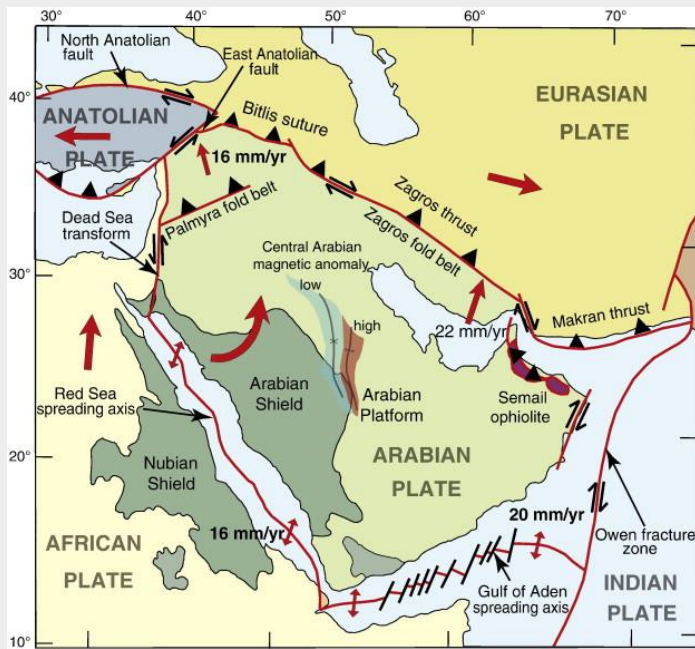
To be exact, the region surrounding the Zagros Mountains in the Iraq's north is sinking. A team of researchers has found a sinking oceanic "slab" below the Earth's surface is pulling the northern region of Iraq down with it.



### Why is the Iraqi region sinking?

In short, it's plate tectonics.

A growing tear is forming in a region along the Arabian and Eurasian continental plates known as the Neotethys oceanic slab. The slab, which formed the floor of an ancient ocean more than 66 million years ago, is splitting from southeast Turkey to northwest Iran. So now, the slab is sinking into the Earth's mantle. This process will take tens of millions of years.



### How can this research help in earthquake predictions?

The findings have several practical implications because they "reveal the mechanisms by which our planet operates. This study highlighted how dynamic our planet is and how connected its interior and exterior are. Its results can be used to construct more exact geological models that depict activity deep beneath the Earth's surface. These models can help with earthquake prediction.

Relevance: GS Prelims; Geography

Source: The Hindu

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